



# State of Louisiana

## Department of Environmental Quality



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## DEQ issues new form of penalty

BATON ROUGE – Some facilities throughout the state have received a new form of penalty issued by the Department of Environmental Quality. This expedited penalty, also known as XP, is issued to facilities for minor to moderate environmental violations.

When a DEQ inspector finds a facility to be out of compliance with environmental regulations, the enforcement division can either issue an expedited penalty or choose to go through the traditional penalty procedure. XP is a voluntary program, where the facility that is out of compliance chooses to pay a reduced penalty and, in some instances, attend a DEQ sponsored class on how to avoid environmental penalties in the future.

“Fines for noncompliance are a big issue with smaller facilities especially when they don’t understand all the environmental rules and regulations,” said Harold Leggett, DEQ’s assistant secretary with the Office of Environmental Compliance. “The law requires DEQ to levy a fine, however, XP gives us the flexibility to reduce the penalty for noncompliance so mom-and-pop facilities are not forced out of business, but instead are educated on environmental regulations and can avoid compliance issues in the future.”

Here’s an example of how the XP program works. If an underground storage tank operator is cited for failure to perform release detection, he could pay a \$10,000 fine under traditional penalty procedures. With the XP program, the operator would pay a \$1,500 penalty and attend a compliance training class.

DEQ has scheduled several compliance classes concerning underground storage tanks throughout the state. Similar programs dealing with car wash and sewage system regulations will be added.

“The turnout for the underground-storage-tank classes has been inspiring,” Leggett said. “Even people who have not been cited for violations are attending the classes because they want to be environmentally sound and avoid penalties.”